



# STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

## **TESTIMONY SUBMITTED TO THE COMMITTEE ON CHILDREN**

*February 27, 2014*

*Anne Foley, Chair*

*Tobacco and Health Trust Fund Board of Trustees*

Testimony Supporting Senate Bill No. 24

### AN ACT CONCERNING THE GOVERNOR'S RECOMMENDATIONS REGARDING ELECTRONIC NICOTINE DELIVERY SYSTEMS AND YOUTH SMOKING PREVENTION

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Senator Bartolomeo, Representative Urban and distinguished members of the Committee on Children, thank you for the opportunity to submit testimony in support of Senate Bill No. 24, An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.

The Tobacco and Health Trust Fund (THTF) is a separate, non-lapsing fund that receives deposits from the Tobacco Settlement Fund. The Fund is administered by a Board of Trustees, which makes annual recommendations to legislative committees of cognizance regarding disbursements for statutorily authorized purposes - primarily programs that reduce tobacco abuse through prevention, education, and cessation programs.

Pursuant to Public Act 13-184, the Board is only authorized to recommend disbursements of up to \$3 million in FY 2015, and is not authorized to make any disbursements in FY 2016. In FY 2017, the Board is limited to recommending disbursements of one half of the annual deposit to the THTF (typically \$12 million is deposited), plus any net interest earnings from the previous fiscal year.

The Centers for Disease Control and Prevention (CDC) have developed recommended funding levels that each state should be investing annually in tobacco control programs based on the total state funding received from tobacco tax revenue and settlement payments. Connecticut, for FY 2014, will fall short of that goal, spending only 6.8% of the recommended amount. The Governor's Bill recognizes the importance of investing in tobacco prevention and cessation efforts and proposes to remove the current moratorium on disbursements in FY 2016, and increase the maximum amount the THTF Board can disburse. The bill, beginning in FY 2015, sets the maximum recommended annual disbursements at the total unobligated balance in the Fund, subject to a \$12 million cap. The unobligated balance is defined to be the amount remaining after any other disbursements have taken place in accordance with the general statutes and any relevant public and special acts.

In addition to this change, the bill prohibits the sale of e-cigarettes and other electronic nicotine delivery systems to minors, as well as the possession and purchase of these products by minors, mirroring the current existing statutes regarding tobacco products. The bill further enhances the state's efforts to prevent tobacco use among minors by implementing a new online tobacco prevention program for first-time violators who sell tobacco products to underage youth; lengthening the timeframe in which higher civil penalties are issued to retailers who commit subsequent violations; and criminalizing the sale of "loose" cigarettes.

I would like to again thank the committee for the opportunity to present this testimony. I respectfully request that the Committee act favorably on this bill.